

STATE OF INDIANA

COURT

In The Matter of _____

Case No. _____

A Delinquent Child

DISPOSITIONAL ORDER

The State of Indiana appears by _____,
(Deputy/Prosecuting Attorney). Probation officer, _____, appears. The child,
_____, appears in person and with/without counsel,
_____, and the parent(s) (guardian) (custodian)
_____ appear in person.

The child having entered an admission of the delinquent act or having been found by the court on a fact finding hearing to have committed the delinquent act(s) alleged in the Petition filed herein, is now (or has heretofore been) adjudicated a delinquent. The Court, after reviewing the predispositional report (and recommendation of the local coordinating committee)(and hearing statements and evidence presented to the Court regarding the disposition of this case), and the current child support obligation worksheet, and the Court having considered:

1. The interests of the child and the public;
2. alternatives of the care, treatment or rehabilitation for the juvenile;
3. the necessity, nature and extent of the participation by a parent, guardian or custodian in a program of care, treatment or rehabilitation for the juvenile;
4. The child's income, liabilities, and independently held assets and the parents' income, liabilities and assets.
5. the financial responsibility of the parent or guardian or the estate for any services provided for himself or the juvenile, and
6. services, if any, that should be ordered for the parents pursuant to the Petition for Parental Participation.

(For use if DCS is to be responsible for the costs of placement, program or services for or on behalf of the child):

The Court has also considered the Risk Assessment, Needs Assessment, information regarding eligibility of the child for assistance under Title IV-E, and a statement from DCS as to its concurrence or other alternative proposal.

The Court now

[] awards wardship of _____, a juvenile, to the Indiana Department of Correction for housing in any correctional facility for children or any community-based correctional facility for children. Said commitment is suspended on the condition that _____(name of juvenile), comply with the rules of supervision as attached hereto, said commitment and suspension being made for the following reasons (*Here include*

reasons for the disposition): _____
_____.

Or

☐ confines the child, _____, in the
_____ for _____ days.
(juvenile detention facility) for the following reasons:

Or

☐ places the child, _____, in: _____ non-
secure facility for the following reasons: _____.

Or

☐ places the child, _____, under the
(name of juvenile)
supervision of the _____ County Probation Department, and order said child to
comply with the rules of probation as attached hereto, for the following reasons (*Here include
the reasons for the disposition*): _____
_____.

This disposition is consistent with the safety and the best interest of the child and is the least restrictive and most appropriate setting available close to the parents' home, least interferes with family's autonomy, is least disruptive of family life, imposes the least restraint on the freedom of the child and the child's parent, guardian, or custodian; and provides a reasonable opportunity for participation by the child's parent, guardian, or custodian.

(*If child is placed out of state or more than 50 miles from home:*) The Court finds by clear and convincing evidence that the above out-of-state placement in a facility that is not a secure detention facility is appropriate because:

☐ The Director of the DCS or his designee has recommended or approved of the placement;

or

☐ There is not a comparable facility with adequate services in Indiana, because
_____;

or

☐ the facility is not more than 50 miles from the county of the residence of the child.

☐ The Court now gives said child a written warning of the consequences of a violation of the placement made in this order which written warning as given by the court to said child is now filed and made a part of the record herein.

☐ (*If child has committed a sex offense*): Pursuant to IC 11-8-8-4.5 (b)(2) and 11-8-8-5 (b)(2) [SEX OFFENDER REGISTRY], the child is at least fourteen (14) years of age who has committed a sex offense under IC 11-8-8-4.5(a) and 11-8-8-5(a), and the Court now finds by clear and convincing evidence that the child is likely to repeat an act that

would be an offense under 11-8-8 if committed by an adult.

[] The court finds that the probation department has made reasonable efforts to prevent removal (state the reasons) and it is in the child's best interest to remove the child from the home, and that it would be contrary to the welfare of the child to remain in the child's home.

The _____ county probation department has the responsibility for placement and care of the child.

The court finds that

[] the child is placed in a secure detention facility

or

() the department of child services approves of the probation officer's recommendation in the PDR;

or;

[] the department of child services does **not** approve the probation officer's recommendation in the PDR and the court accepts the recommendation of DCS;

or

[] the department of child services does not approve the probation officer's recommendation in the PDR and the court finds that the following recommendations of the department of child services are unreasonable based on the facts and circumstances of the case / or are contrary to the welfare and the best interests of the child:.

[] The placement is an emergency required to protect the health and welfare of the child for the following reasons:

The probation officer shall file a report every three months after the date of this order on the progress made on implementing the decree.

(If the child has been removed and placed in other than a secure facility): If a case plan has not been submitted, the probation officer shall complete a case plan for the child no later than 60 days after the earlier of the removal or this dispositional decree. The case plan will be reviewed and updated at least every 180 days.

This case is set for a review hearing on: _____ *(no later than 6 months from the original date of this dispositional decree).*

(If the child has been removed from the home and placed in other than a secure facility):
This case is set for a permanency hearing on: _____ *(no later than 12 months from the original date of removal).*

The legal settlement of the child is _____. The Department of Child Services, _____ Local Office(DCS), or the Probation Department if DCS has not recommended or concurred in the placement, shall provide the notice required under IC 20-26-11-9.

A Parental Participation Petition having been filed with this Court and jurisdiction obtained upon _____ parents (Custodian or guardian) of _____, the Court after hearing evidence and being _____
(name of juvenile)
duly advised, now finds that the allegations contained in the Petition for Parental Participation are true and the parents (guardian or custodian) shall participate in a treatment program or pay for services as follows:

[Set forth specifically what the parents are to do and for what they are to be financially responsible.]

[] A separate Financial Obligation is being issued.

So ORDERED this ____ day of _____, 20____.

Judge

NOTE: If the Court believes the dispositional alternative of restitution should be applied, the findings of fact in the dispositional decree should reflect such and a sentence added to the dispositional decree ordering the restitution and the amount.

CC: Department of Child Services- local office